

(4) ASAP administrative support.

c. Counterdrug funds will not be used to pay for alcohol and/or other drug rehabilitation for ARNG Soldiers.

15–13. Alcohol Drug Intervention Council

Chapter 7 of this regulation applies to the ARNG, except that:

a. An ADIC will be established at the state level to function in an advisory capacity to the State Adjutant General.

b. The JSAPO will provide continuous assessment of the alcohol and other drug environment within the ARNG of that state or territory.

15–14. Referral of alcohol and illegal drug abusers to a state-certified rehabilitation program

Chapter 7 of this regulation applies to the ARNG, except that:

a. When ARNG Soldiers are identified voluntarily or involuntarily as possible alcohol or other drug abusers, the unit commander or designated representative will promptly:

(1) Advise the Soldiers of their rights under the appropriate provisions of the state law pertaining to self-incrimination using the appropriate State Rights Warning Procedure/Waiver Certificate, and explain the Limited Use Policy addressed in section III, chapter 10 of this regulation.

(2) Refer Soldiers to community-based counseling and rehabilitation programs using a DA Form 4856 (General Counseling Form) or another state-approved counseling form. The unit commander must provide Soldiers with a list of certified and/or approved counseling/treatment agencies that are within a reasonable commuting distance of the Soldiers' residences. Soldiers must be advised that:

(a) They must be evaluated within 30 days of the command counseling session.

(b) They are responsible for all costs incurred in any referral/rehabilitation programs. Soldiers should be encouraged to explore available rehabilitation options (for example, a sliding fee based on income, use of health insurance, Medicaid, and so forth) with rehabilitation program personnel.

(c) They must sign a consent statement that allows the rehabilitation personnel to share necessary rehabilitation information with the unit commander or designee. Soldiers must request that rehabilitation personnel provide monthly updates in writing to unit commanders, who must be kept informed regarding the progress of rehabilitation. Methadone maintenance and mandatory Disulfiram (Antabuse) treatment will not satisfy the rehabilitation requirements of this chapter. Soldiers may refuse to sign the consent statement. However, these Soldiers may be deemed not to be participating sufficiently in rehabilitation. Refusal to sign may result in their being processed for administrative separation for rehabilitation failure.

(d) Failure to participate in and successfully complete approved or ASAP rehabilitation program, or the refusal to sign a consent form to release information to the unit commander, will result in initiation of separation proceedings under AR 135–175 or AR 135–178.

b. The ARNG Soldiers on Inactive Duty for Training or other AD of 30 days or more will use Active Army ASAP services while in an AD status or until rehabilitation is complete.

15–15. Rehabilitation

Chapter 8 of this regulation applies to ARNG members when on extended AD for more than 30 days.

a. The goal of the ARNG ASAP rehabilitation program is to return rehabilitated Soldiers to full effective duty as early as possible.

b. The ARNG unit commander must be innovative and empathetic when working with those Soldiers enrolled in rehabilitation. The unit commander must be kept informed regarding the Soldier's progress.

c. When an ARNG Soldier is detoxified at Army expense, an appropriate line of duty determination will be made in accordance with chapter 8 of this regulation.

d. Army National Guard Soldiers on Title 10 Active Duty orders may remain on AD until rehabilitation is completed at the discretion of the commander unless prohibited by other requirements.

15–16. Administratively separating drug abusers

Chapter 10 of this regulation applies to the ARNG, except that:

a. Unit commanders will process every ARNG Soldier identified as an illegal drug user for administrative separation. The separation action will be forwarded to the separation authority, which will make a final determination on separating or retaining the Soldier.

(1) Officers and Warrant Officers will be processed under the provisions AR 135–175 and applicable NGB regulations.

(2) Enlisted personnel will be processed under the provisions of AR 135–178 and applicable NGB regulations.

b. If an ARNG Soldier refuses to consent to drug testing, the unit commander or a designated representative within the Soldier's chain of command will order the Soldier to provide a specimen. Soldiers, who refuse to participate, are in